

This amendment made this 16th day of June, 1971 to Lease Agreement dated December 16, 1968 by and between NEW CASTLE COUNTY, a political subdivision of the State of Delaware, (hereinafter referred to as County), party of the first part, and LAND REDEVELOPMENT COMPANY, a corporation of the State of Delaware, WILLIAM C. WARD and ELIZABETH O. WARD, his wife, (hereinafter referred to as Owners), parties of the second part.

WHEREAS, the parties hereto entered into a Lease Agreement dated December 16, 1968 providing a site for a landfill for the disposal of rubbish, garbage and other waste material and for the operation thereof; and

WHEREAS, the parties hereto desire to release a certain area within the tract covered by said Lease Agreement and to substitute an area in certain other land of Owners.

NOW, THEREFORE, in consideration of the covenants and agreements hereinafter provided, it is mutually agreed as follows:

1. There is hereby deleted from Exhibit "A" attached to the Lease Agreement dated December 16, 1968 the area (consisting of 2.88 acres) shown on the drawing attached hereto and marked Exhibit I. Said area shall no longer be available for use as landfill, and Owners shall not be required to use said area for the deposit of rubbish, garbage or other waste material, except that such area may be used for access to dumping areas if other means of access is not available.

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2. The area (consisting of 2.88 acres) shown on the drawing attached hereto and marked Exhibit II is hereby made a part of the "site" referred to in the Lease Agreement dated December 16, 1968, and the parties hereto shall have all of the rights and duties with respect to said area as are provided with respect to the "site" in said Lease Agreement. Owners shall provide access necessary for the use of said area as a landfill using the existing road across the present site.

3. Rental for the site, including the area covered by this Agreement shall be as set forth in said Lease Agreement.

4. Upon the concurrence of the Department of Public Works of New Castle County and Owners, other land of Owners in the vicinity of the site may be substituted in whole or in part for the area shown on Exhibit II, provided that the total area and usable landfill volume and cover material for landfill purposes shall not be less than that of said area.

5. It is understood that, pursuant to the direction of the Department of Public Works of New Castle County upon not less than one week's notice, Owners will excavate the roadbed on the existing site, will use the area of the roadbed for deposit of rubbish, garbage and other waste material and will cover in accordance with said Lease Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 16th day of June, 1971.

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In the Presence of:

Sumner Campbell

NEW CASTLE COUNTY

BY:

Richard J. [Signature]  
Acting County Executive

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George H. Butterhouse

William C. Ward  
William C. Ward

George H. Butterhouse

Elizabeth O. Ward  
Elizabeth O. Ward

LAND REDEVELOPMENT COMPANY

BY: William C. Ward  
President

ATTEST: Elizabeth O. Ward  
Secretary

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